

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Arthur M. Krieg
Serial No.: 10/613,228
Confirmation No.: 4680
Filed: July 3, 2003
For: NUCLEIC ACID COMPOSITIONS FOR STIMULATING IMMUNE
RESPONSES
Examiner: N. M. Minnifield
Art Unit: 1645

Certificate of Electronic Filing Under 37 CFR 1.8

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.8(a)(4).

Dated: February 23, 2009

Signature:

Nicole Millette Lapomardo

TELEPHONE INTERVIEW SUMMARY

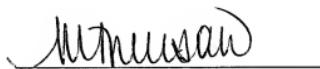
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

Examiner Minnifield called and left a message for Applicant's representative (the undersigned) on February 17, 2009 to discuss claims 46 and 54. Applicant's representative spoke with the Examiner the following day. During this conversation, the Examiner questioned whether the subjects of claims 45 and 46 were mutually exclusive. Applicant's representative indicated that it is quite common for subjects having a cancer to also have an infection. The Examiner also questioned the scope of claim 54 as it is a claim that has been rejoined following allowability of composition claim 1. Applicant's representative indicated that the composition of claim 1 may or may not include an antigen (including any of the antigens recited in claim 54), and therefore the scope of claim 54 is proper and not inconsistent with the scope of the allowed composition claims. The Examiner agreed with Applicant's representative with regards to both claims 46 and 54.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 23/2825 under Docket No. C1037.70045US00 from which the undersigned is authorized to draw.

Respectfully submitted,



Maria A. Trevisan

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Date: February 23, 2009